

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

THIS DOCUMENT RELATES TO:
ALL CLASS CASES

MDL No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

**CLASS PLAINTIFFS' NOTICE OF FILING OF BRIEFING SCHEDULES
IN APPELLATE PROCEEDINGS RELATED TO TRACK I**

During the March 14, 2008 hearing on Joint Motion for Entry of an Order Granting Preliminary Approval of the Track II Settlement Agreement and Release [Docket No. 5131], the Court inquired of Plaintiffs' Counsel about the briefing schedule for the various appeals related to Track I proceedings. Plaintiffs advised the Court that the First Circuit Court of Appeals had not yet set a briefing schedule but they would notify the Court once the schedule was available. A briefing schedule has now been set for each of the appeals. For the Court's convenience a chart summarizing the briefing schedule for each appeal is attached hereto as *Exhibit A*.

DATED: April 15, 2008

By /s/ Steve W. Berman

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CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE

Docket No. MDL 1456

I, Steve W. Berman, hereby certify that I am one of plaintiffs' attorneys and that, on April 15, 2008, I caused copies of **CLASS PLAINTIFFS' NOTICE OF FILING OF BRIEFING SCHEDULES IN APPELLATE PROCEEDINGS RELATED TO TRACK I** to be served on all counsel of record by causing same to be posted electronically via Lexis-Nexis File & Serve.

/s/ Steve W. Berman
Steve W. Berman